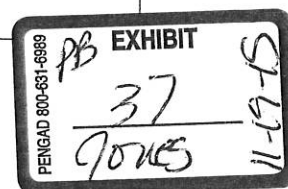


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Family Court
(Incumbent)



Full Name: The Honorable Gwendlyne Young Jones
Business Address: Post Office Box 192, Columbia, South Carolina 29202
Business Telephone: (803) 576-1760

1. Why do you want to serve another term as a Family Court Judge?

I want to serve another term as a Family Court Judge because I am passionate about family and the opportunity to positively impact the lives of others. This position has been more rewarding than any other in my twenty-six years in the legal profession. I wake up every morning excited about the challenges that are before me, knowing that I have an opportunity to decide matters that litigants have patiently waited to bring closure to an arduous period in their lives. I strive to be fair, giving everyone the time needed to present their case. Every case is different and unique in its own way, deserving of my undivided attention. When I took my oath of office on April 15, 2010, I made a promise to be the very best judge that I could be. It is my daily goal to present myself as patient, courteous and fair. I am dedicated to our societies' families, and to the laws that have developed to preserve and protect our families. Because Family Court is such an emotional one, it is critically important to treat everyone with compassion and understanding. I feel that I have exhibited all of the necessary qualities to adequately perform my duties.

I have heard and decided cases involving divorces on all grounds, child custody, child support, alimony, child abuse/neglect, juvenile delinquency, adoptions, equitable division of property and debt, separate maintenance and support, and other matters. It is my hope that I will be given the opportunity to continue in this capacity.

2. Do you plan to serve your full term if re-elected?
Yes.
3. Do you have any plans to return to private practice one day?
No.
4. Have you met the statutory requirements for this position regarding age, residence, and years of practice?
Yes.
5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

I feel that *ex parte* communications are the exception, not the rule. I refrain from *ex parte* communications when possible. However, there are instances when such *ex parte* communication is tolerated, such as for scheduling matters that are to come before me. In addition, *ex parte* affidavits are often presented in abuse and neglect cases submitted by the Department of Social Services requesting

immediate removal of a child or vulnerable adult that may be in imminent danger. In private actions, ex parte requests are often made requesting immediate custody. Depending upon the facts of the case, the supporting affidavit may result in an order granting an emergency hearing to be held the next day.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

I have an absolute duty to hear and decide the matters assigned to me. I have taken an oath to hear and decide matters without bias, prejudice or partiality. I must evaluate these duties in situations concerning recusal. I feel that I should recuse myself from hearing any matters that come before me if the attorney is a former law partner or associate. The mere appearance of impropriety should be avoided at all times. It is important to uphold the public confidence in the judiciary. With regard to attorney-legislators, I do not think that it is necessary to recuse myself from hearing such cases. I would expect the attorney to represent the interests of his client, having no expectation from the court other than to adequately apply the law to the facts. I took an oath to be fair without any bias. As a judge, I am careful not to convey the impression that anyone is in a position to have influence upon my decisions.

7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

I feel that the mere appearance of impropriety is sufficient to consider a recusal. I would want to hear all of the facts surrounding the request, and if the appearance alone is there, I would grant the motion for recusal.

8. How do you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I have never had a matter of this type come before me; however, if it was brought to my attention, I would disclose the financial or social involvement of my spouse or close relative, and recuse myself from hearing the matter. I am of the belief that if the mere appearance of impropriety exists, recusal is appropriate.

9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

First, I would evaluate who the gifts or social hospitality is coming from. I do not accept gifts or social hospitality from persons that may appear before me. I am careful to avoid any perception of bias, bringing distrust to the judicial system. I understood when I took the oath of office that I was accepting restrictions on my conduct at all times. However, if an event is taking place that all members are invited, I might elect to attend. I do not feel that gifts and social hospitality should be avoided from friends that do not come before me.

10. How do you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

If I became aware of misconduct of a lawyer or of a fellow judge, I would first make sure that I have all of the facts. If necessary, I would have a hearing and go on the record regarding the situation concerning a lawyer. If appropriate, I would refer the situation to the Office of Disciplinary Counsel to conduct an investigation regarding the questionable actions of the lawyer or fellow judge.

11. Are you affiliated with any political parties, boards or commissions which, if you were re-elected, would need to be re-evaluated?
No.
12. Do you have any business activities that you have remained involved with since your election to the bench?
No.
13. Since Family Court judges do not have law clerks, how do you handle the drafting of orders?
I take notes during all the matters that come before me. If there are attorneys involved in the case, I may instruct one of the lawyers to submit a proposed order, or draft the order myself. I personally do all of the orders in the self-represented litigant cases.
14. What methods do you use to ensure that you and your staff meet deadlines?
We send out reminders to the attorneys when there are outstanding orders. If a third request is made, the attorney is requested to appear at a given time to state why he has not complied with my directive. If necessary, the attorney would be placed under an order to comply with my request and advised that their failure to do so may result in a contempt action.
15. What specific actions or steps do you take to ensure that the guidelines of the guardian ad litem statutes are followed during the pendency of a case?
It is important to ensure that the Guardian has complied with the Guardian ad Litem statute. Specifically, it is crucial that the Guardian timely submits interim and final written reports. The reports are vitally important to the case, and prevent any unnecessary delay in hearing the matter. The guardian ad litem has an important neutral role to provide information that is vital in assisting the court with rendering its decision. If a case is scheduled before me and the report is not in the file, a request for immediate compliance and explanation is requested. I also make sure that the information has been shared with counsel. Oftentimes, if the attorneys have the report in advance, a settlement of the case can be reached.
16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I have taken any oath to appropriately apply the law as written, not make laws. To do otherwise, negates the confidence the community has in our legal system. My job is to administer the law, based on the individual facts of the case before me. In a situation where there is no law on the issue, I have a duty to research and make sure that my ruling conforms to the public policy of our State as evidenced in other forums or cases.
17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system?
When possible, I plan to continue to speak and lecture at continuing legal education seminars, schools and other forums when requested. In addition, I am willing to serve on any committee that seeks to improve the legal system.
18. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?

I do feel that the pressure of serving as a judge could strain personal relationships. However, if it is explained to friends and family that you are perceived as a judge at all times; misunderstandings can be avoided. I understand that we are not expected to live in seclusion; however a judge does not hold the position only when on the bench. I am expected to be cognizant of my position at all times, avoiding any appearances of impropriety and upholding the integrity of the profession.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No.

20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

I would not hear a case where I or a member of my family held a *de minimis* financial interest in a party involved. The mere appearance of impropriety should be avoided at all times.

21. Do you belong to any organizations that discriminate based on race, religion, or gender?
No.

22. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes.

23. What do you feel is the appropriate demeanor for a judge?
A judge's demeanor should be courteous, impartial and patient at all times. However, it is important to control the courtroom, making sure that the attorneys are compliant with the civility oath. It is important to show compassion, respect and empathy for the parties.

24. Do the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day?

A judge's demeanor applies at all times, seven days a week, twenty-four hours a day, not just when on the bench.

25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

A display of anger is never appropriate under any circumstances toward anyone. I realize that emotions may be high, however, it is important for a judge to calmly, yet firmly control the courtroom, treating everyone with respect and compassion.

26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?

I have not spent any money on my campaign.

27. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign?

I only used office letterhead to send in my letter of intent to seek re-election for this position. I have not used the services of my staff for my campaign in any manner.

28. Have you sought or received the pledge of any legislator prior to this date?
No.
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No.
30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
No. I have not asked any third parties to contact members of the General Assembly on my behalf before the final and formal screening report has been released. I am not aware of any friends or colleagues contacting members of the General Assembly on my behalf.
31. Have you contacted any members of the Judicial Merit Selection Commission?
No.
32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?
Yes.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

s/Gwendlyne Y. Jones

Sworn to before me this 31st day of July, 2015.

Linda S. Taylor

Notary Public for South Carolina

My commission expires: 09/14/2017